IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Crl.Rev.Pet.No. 493 of 2007

CRA.144/1999 of ADDL. SESSIONS COURT (ADHOC-I), THALASSERY
CC.1236/1995 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, KANNUR

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REVN. PETITIONER:

PANAKKADA RAJESH, S/O. SASIDHARAN, AGED 29 YEARS
S.V.M.S.COLONY, KAKKAD, KANNUR DIST.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

STATE OF KERALA REP.BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.493 OF 2007

DATED THIS THE 8TH JUNE 2007

ORDER

The revision petitioner stands convicted for the offence under Section 379 I.P.C. and sentenced to undergo simple imprisonment for two years in C.C.No.1236/95, on the allegation that he was found in possession of a car stereo which was found to be stolen. Counsel for the revision petitioner has only sought for modification of the sentence pointing out that he is undergoing imprisonment since 17-4-2006. It is also pointed out that he was apprehended by the police on the same day and convicted in C.C.No.1195/95 for the same offence and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.1,000/- and in default to undergo simple imprisonment for one month. Counsel has sought for invoking the provision under Section 427 I.P.C. for a direction to have the sentences undergone concurrently.

2. Heard both sides.

In the circumstances, the sentence in C.C.No.1236/95 is modified to simple imprisonment for one year. It is directed that the sentence in C.C.No.1195/95 and C.C.No.1236/95 shall be undergone concurrently. The Crl.revision petition is disposed of accordingly.

SD/-

K.R.UDAYABHANU, JUDGE

ks. **TRUE COPY**

P.S.TO JUDGE